

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	
DAVID EARL FRENCH	:	CASE NO. 1:22-bk-00849-HWV
aka DAVID E. FRENCH	:	
DONNA MARIE FRENCH	:	
Debtors	:	CHAPTER 13
:		
U.S. BANK TRUST COMPANY, NATIONAL	:	
ASSOCIATION, AS TRUSTEE, AS	:	
SUCCESSOR-IN-INTEREST TO U.S. BANK	:	
NATIONAL ASSOCIATION, NOT IN ITS	:	
INDIVIDUAL CAPACITY BUT SOLELY AS	:	
INDENTURE TRUSTEE, FOR THE HOLDERS:	:	
OF THE CIM TRUST 2021-R1, MORTGAGE-	:	
BACKED NOTES, SERIES 2021-R1,	:	
Movant	:	
:		
v.	:	
:		
DAVID EARL FRENCH	:	
aka DAVID E. FRENCH	:	
DONNA MARIE FRENCH	:	
Respondents	:	

**DEBTORS' RESPONSE TO MOTION OF U.S. BANK TRUST COMPANY,
NATIONAL ASSOCIATION, AS TRUSTEE, AS SUCCESSOR-IN-INTEREST TO
U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY
BUT SOLELY AS INDENTURE TRUSTEE, FOR THE HOLDERS OF THE CIM
TRUST 2021-R1, MORTGAGE-BACKED NOTES, SERIES 2021-R1,
FOR RELIEF FROM THE AUTOMATIC STAY**

AND NOW, come Debtors, Donna Earl French and Donna Marie French, by and through his/her/their attorney, Gary J. Imblum, and respectfully respond as follows:

1. Admitted.
2. Admitted.
3. Admitted in part and denied in part. The Note speaks for itself. Strict proof is demanded.

4. Admitted in part and denied in part. The Mortgage speaks for itself. Strict proof is demanded.

5. Admitted in part and denied in part. Strict proof is demanded as to the recording of the mortgage.

6. Admitted in part and denied in part. The Loan Modification speaks for itself. Strict proof is demanded.

7. Admitted in part and denied in part. The Assignment speaks for itself. Strict proof is demanded.

8. Admitted.

9. Admitted in part and denied in part. Debtors have no knowledge as to the servicer of the loan.

10. Admitted. Further, Debtors offer to cure same through an Amended Plan.

11. Admitted in part and denied in part. See response to paragraph 10.

12. Admitted in part and denied in part. Debtors have no knowledge as to the total payoff of the loan. Strict proof is demanded.

13. Admitted.

14. Admitted in part and denied in part. The real estate is worth \$189,900.00 as of the date of the filing of the bankruptcy in accordance with the market analysis. The only liens of higher priority to that of the Movant are the liens for real estate taxes, sewer and water. Accordingly, there is an abundant amount of equity providing adequate protection to the Movant. Further, Debtors will make an offer in the near future to bring the payments current and to pay the post-petition real estate taxes.

15. Admitted in part and denied in part. See response to paragraph 10.

16. Admitted in part and denied in part. See response to paragraph 14.

17. Denied. There is no reason why Rule 4001(a)(4) should not apply.

WHEREFORE, Debtors respectfully request that this Honorable Court issue an Order denying the Motion for Relief From Stay.

Respectfully submitted,



Gary J. Imblum
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Attorney for Debtors

DATED: 07/26/25

CERTIFICATION OF SERVICE

I, Carol V. Shay, Paralegal, do hereby certify that I have served a copy of the foregoing DEBTORS' RESPONSE TO MOTION OF U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION, AS TRUSTEE, AS SUCCESSOR-IN-INTEREST TO U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS INDENTURE TRUSTEE, FOR THE HOLDERS OF THE CIM TRUST 2021-R1, MORTGAGE-BACKED NOTES, SERIES 2021-R1 FOR RELIEF FROM THE AUTOMATIC STAY upon the following persons by E-Service or by United States Mail, first class, postage prepaid, at Harrisburg, Dauphin County, Pennsylvania, addressed to:

JACK N. ZAHAROPOULOS, ESQUIRE
CHAPTER 13 TRUSTEE
VIA E-SERVICE

MICHELLE L. MCGOWAN, ESQUIRE
ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC
COUNSEL FOR MOVANT
VIA E-SERVICE

IMBLUM LAW OFFICE, P.C.

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For Debtors

DATED: 6/26/2025